

REMARKS

Applicants have received and reviewed an Office Action dated December 7, 2005.

Claims 1 and 12-15 are amended to incorporate the allowable subject matter of claim 5 and to recite "at least about 70%" as supported at least at page 6, line 18. Claim 11 is amended to recite "at least about 80%" as supported at least at page 6, line 20. Claims 5 and 16-35 are canceled without prejudice. New claims 42-45 incorporate limitations recited in original claim 15 and are dependent from claims 12-15 respectively. No new matter has been added. Claims 1-15 and 36-45 are pending. Applicants submit that the pending claims are supported by the specification.

Applicants appreciate the Examiner's indication that claims 36-41 are allowed and that claim 5 contains allowable subject matter.

For the reasons given below, Applicants submit that the pending claims are in condition for allowance and notification to that effect is earnestly solicited.

Claim rejections - 35 U.S.C. § 112

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph as being indefinite. Applicants respectfully traverse this rejection.

It is respectfully pointed out that claim 1 includes (1) contacting with steam , (2) milling which includes two alternatives of contacting with air, (3) classifying which includes two alternatives of contacting with air, and (4) producing vegetable powder.

With regard to claim 14, claim 14 includes (1) milling, (2) classifying step which includes two alternatives of contacting with air, and (3) producing vegetable powder.

Accordingly, these claims fully comply with 35 U.S.C. 112, second paragraph, and withdrawal of this rejection is respectfully requested.

Claim rejections - 35 U.S.C. § 103

Claims 1-4 and 6-35 are rejected under 35 U.S.C. 103(a) as being obvious over *Iwamoto* (JP 20011169741) or *Iwamoto* (JP 7241179) in view of *Dunn* (US 4,637,556) or *Schaarschmidt* (US 5,233,765). Applicants respectfully traverse this rejection.

Claim 5 is not subject to this rejection. Each independent claim, 1 and 12-15, includes the allowable subject matter of claim 5. Therefore, this rejection no longer applies.

Furthermore, neither *Iwamoto* (JP '741), *Iwamoto* (JP '179), *Dunn* nor *Schaarschmidt*, alone or in combination, teach or suggest contacting the vegetable with air previously passed through a cooling apparatus during milling or classifying at temperature of about 20 °F to about 60 °F.

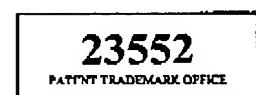
Accordingly, based on the foregoing differences, Applicants respectfully submit that the Carr et al. reference neither teaches nor suggests the presently claimed invention and withdrawal of this rejection is respectfully requested.

**Conclusion**

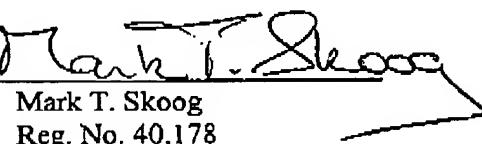
In summary, Applicant submits that each of claims 1-15 and 36-45 is in condition for allowance, and notification to that effect is earnestly solicited. The Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below, if the Examiner believes that doing so will expedite prosecution of this patent.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300



Dated: March 7, 2006

By   
Mark T. Skoog  
Reg. No. 40,178

MTS:SMM